

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

-v-

Cr. No. 09-716 (FB)

AHMAD WAIS AFZALI,

Defendant.

-----X

DEFENDANT'S PRE-SENTENCE MEMORANDUM
WITH APPENDIX

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Dated: New York, New York
April 9, 2010

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DEFENDANT'S PRE-SENTENCE MEMORANDUM

I. INTRODUCTION

The defendant has reviewed the PSIR and the addenda thereto, interposes no objection, and respectfully requests that this Court endorse the recommendation in the PSIR and sentence him to time served.

II. THE LIFE OF AHMAD WAIS AFZALI

I can proudly say that my son is faithful, harmless, and a beautiful hearted human being. ...He is a hard working young man pursuing his American dream. ...I remember when we went to HAJJ (pilgrimage to Mecca). Coming back from HAJJ at the Kennedy airport he got on his knees, bent down forward, kissed the ground and said "Thank God we are home." He just loves this great nation.

--Zalmai Afzali on his son, Ahmad Wais Afzali (A.1).

Born in Kabul, Afghanistan, Ahmad Wais Afzali ("Imam Afzali") was ten years old when he and his family came to the United States of

America in pursuit of a “better life” in 1981. (A.1). For nearly thirty years, he has called this country “home.” In this country, he received an education, he became a religious leader, he advocated peace, he met his current wife, and he had children of his own.

As Imam Afzali prepares to leave this country – moving away from his family, his friends, and his community – those who know him speak, not of the detriment to Imam Afzali, but of the immense loss to his family, his friends, the Muslim community, and the people of this country. Imam Afzali is “a proud American resident,” and a “faithful person,” (A.2), who “is all about respect and peace.” (A.3). He is “caring,” “kind,” and “generous”; he gives to others “out of the goodness of his heart,” expecting nothing in return. (A.4). He “set a good example for others,” by always helping those in need. (A.5). Imam Afzali is “a true asset” to the Muslim community, (A.6), a “good friend,” (A.7), a “peacemaker,” and a “leader” to his peers. (A.8). He is “a son, a brother, a husband, an uncle, and most of all, a father.” (A.8). His family, his friends, and his community **“need”** him. (A.8).

Imam Afzali’s life in the U.S. began when his parents, Zalmai and Salima, relocated to this country with him and his two brothers – Ahmad Waheed Afzali (Waheed), and Ahmad Walid Afzali (Walid). They settled in

Flushing, New York. Waheed, Imam Afzali's older brother, recalls, "We grew up in this beautiful country to pursue the 'American Dream' together." (A.2).

What began as just a "dream" became a reality for the Afzali family. Imam Afzali's father, Zalmai, is now a successful restaurateur, and he owns two homes and more than five acres of land. Imam Afzali's two brothers live near their parents in Virginia and manage their father's restaurants. Both are married and now have families of their own. They all are "proud to be in this country." (A.3).

Imam Afzali still lives in the Flushing, New York home in which his parents raised him and his brothers. He, too, has utilized the unique opportunities with which this country has presented him. He attended the Institute of Islamic and Arabic Sciences in America (IIASA), and spent nearly ten years studying under Islamic scholars. For the past decade, Imam Afzali has been using this wealth of acquired knowledge to give back to his country and his community.

From 1999 through 2001, Imam Afzali worked as an Assistant Imam at Masjid Hazrat-i-Abubakr. Serving in that capacity, Imam Afzali taught Islamic education classes, led prayers, organized religious affairs for the community, and participated in interfaith events. (A.9). Abulrahman Jalili,

President of the masjid, notes Imam Afzali's growth: the "valuable" employee has become "a respected Imam." (A.9).

Devoted to the Islamic faith, Imam Afzali attained the position of religious leader in the Muslim community. Yet, his influence crosses religious lines. As a "proud American resident," (A.2), and as the voice of his American Muslim community, Imam Afzali became an "activist" (A.10) for peace and coexistence. Stepping out of the shadow cast on Muslims in post 9/11 America, Imam Afzali visited multiple New York colleges, educating students on religious and cultural issues, and attempting to shatter the stereotypes of American Muslims. Through his lectures and his participation in multi-faith panel discussions, Imam Afzali sparked dialogue between Muslims and non-Muslims, encouraged students to get involved in their communities, and advised both Muslims and non-Muslims on how to be better Americans and better people. As observed by Mr. Jalili, Imam Afzali "has proven to be a valuable asset to the Muslims, Christians, and Jews." (A.9).

Amatulla H., who has attended Imam Afzali's lectures, "admires" him, and has noticed "numerous positive changes" in the community as a result of his work. (A.11). She remembers, "He taught us not to waste time, but to always use our intellect and time wisely and for the best of our

community.” (A.11). According to Amatulla H., Imam Afzali “has greatly benefited the effort to bring both Muslim and Non-Muslims together to learn and speak openly to one another about the misconceptions about Islam.” (A.11).

Ahson Mahfooz also speaks of the lessons taught by Imam Afzali: He would “talk to the students of various clubs about Leadership,” and would give “advice on ways to live a better and pure [l]ife.” “He assisted me in becoming a better American Muslim so that I may help my community grow in a [p]ositive manner.” (A.12).

Other attendees recall the audience’s response: “[I]rrespective of religion[,] each person applauded Afzali’s good humor, effective speaking methods, and his positive aura,” says Latifa Hamzane. (A.13). “The audience was awed by his charm, wittiness, and manners,” says Ali Jawad, a student at the College of Staten Island and former President of the Muslim Student Association. (A.14).

While these interfaith events provided Imam Afzali with a forum to spread his message to non-Muslims, his lessons reached the ears of the Muslim community primarily by way of his sermons. In preaching to the congregation, Imam Afzali promoted peace, denounced terrorism, and emphasized the importance of being loyal to this country. (A.15, A.16,

A.17). “He is hope for our community, for our youth, that could otherwise go off in extreme or careless paths, and it is characters like him that decrease the ignorance, the hate, and the extremism,” Zamu Roshan Jehan says of Imam Afzali. (A.10).

Imam Afzali’s words have been matched by his deeds. When an American soldier of Pakistani background was killed fighting in Iraq, Imam Afzali opened his funeral home and assisted in the service and burial, despite the fact that other Islamic religious leaders had refused.

<http://www.nydailynews.com/archives/news/2005/03/20/2005-03-20>.

Imam Afzali’s supporters uniformly note the magnitude of his influence. Latifa Hamzane avers, “He has positively influenced all who come in contact with him, always promoting peace and equality in addition to respect for other people irrespective of religion or race.” (A.13). “[H]e made a difference in so many lives,” states Amatulla H. (A.6). In his peacemaking efforts, Imam Afzali has exhibited a dedication to both his religion and this country.

While Imam Afzali is regarded by many as a “peacemaker,” (A.13), a “community builder,” (A.11), a “mentor,” and a “leader,” (A.5), his most appreciated role is that of “social worker” – providing help and assistance to anyone in need. (A.18, A.7). Imam Afzali is currently the funeral director

of Islamic Funeral home, (A.19), and has been consoling and guiding families of the deceased for nearly seven years. Explaining Imam Afzali's deeds, Obaid Achekzai informs, "He has helped and supported terminally ill patients in the hospitals, hospices and their homes, [has] assist[ed] people who lost their loved ones with funeral precessions, and [has] attend[ed] and conduct[ed] wedding and engagement ceremonies." (A.20).

Several families tell the stories of how Imam Afzali supported them as they grieved over the loss of a loved one. (A.20, A.16, A.21, A.17). When Mahboob Khan's mother and brother passed away four years ago, she was referred to Imam Afzali. Expressing her gratitude, Ms. Khan shares, "He not only took care of [the] entire funeral process, but made several visits to our family to give us comfort and advise [*sic*]. He is [a] very gentle and friendly person that we were very lucky to have at the time of deaths in the family." (A.22).

To Subhana Rahim, "Imam Afzali's support was invaluable." (A.23). She explains: "Although death is certain, grieving a loved one is not easy....[T]he Imam gently guided my family through our death experience and gave my father a dignified and lovely janaaza (funeral). Because of the Imam, my memories of my father's funeral are warm and loving. We will always be grateful to him for this." (A.23).

Zamu Roshan Jehan discusses Imam Afzali's "open-minded[ness]," and the lesson of acceptance which she learned from Imam Afzali when he buried her mother. (A.10). When her mother died, Ms. Jehan expressed concern to Imam Afzali that she was not sure if her mother really was a Muslim; if she was not, she would not be entitled to an Islamic burial. According to Ms. Jehan, Imam Afzali "mentioned that no one knows what's inside someone's heart, and it is Allah who will judge." (A.10). Imam Afzali gave Ms. Jehan's mother the Islamic burial that Ms. Jehan had hoped for. "He didn't turn me away," Ms. Jehan states thankfully, "and he answered all of my questions and advised me and my brother." (A.10). Ms. Jehan notes that she is not the only one who has received the tender support of Imam Afzali, "[H]e helps so many cope with the, many times, lonely deaths that occur in the community." (A.10).

A generous man, Imam Afzali has even provided free funeral services for people "who couldn't afford it," or "people who died without leaving behind any guardians to take care of their last rights." (A.7). Nauman Cheema, who has witnessed that on several occasions, explains that Imam Afzali is someone who is "there to help beyond the boundaries of religion and race." (A.7). She knows him to be "a humble individual with

compassion for humanity, a well-wisher and a person of upright character.”
(A.7).

Imam Afzali has certainly left a lasting impression on those who have witnessed his good deeds, heard his advice, and felt his support. Speaking on behalf of the congregation, Imam Abdul Azeem Khan of The Islamic Foundation, Inc. announces: “At times of need in family crisis [Imam Afzali] has always been there to serve with compassion, wisdom, and caring. He is ... a true supporter not only to this community but to other communities and also other faiths as well.” (A.6). So, too, has Imam Afzali assisted the community of Masjid Nur Al Islam whenever they needed him. (A.24). Additionally, Imam Afzali has served the community of Sunnat-Ul-Jamaat of New York, Inc. for almost a decade. (A.25). They voice the value of the Imam’s services: “His loyalty to his country, his faith, his community, family and friends has been above and beyond the call of duty. He has provided outstanding service and shown true dedication towards the diverse needs and concern of our congregation and the surrounding community.” (A.25).

Moreover, Imam Afzali has had an impact on those who have been fortunate enough to work at his side. Rustam Abdullaev, who has volunteered at many of the Imam’s funeral washings, speaks of Imam

Afzali's good example: "From the first day that I met him, he has been nothing but friendly and courteous, he always has excellent advice to give, and he is always encouraging tranquility and good will. He has positively influenced me in many ways, always supporting peace." (A.26).

Noor Rabah, the Imam's co-worker, shares that sentiment. He considers Imam Afzali more than just a co-worker and "brother in faith," but a "Father figure." (A.27). He discusses how Imam Afzali's services went beyond business: "[H]e took his career to a personal level and saw to it that each family was attended to, consoled, educated on life and death and ... he created and strengthened bonds amongst family members, amongst brothers and sisters in faith, and even amongst nonMuslims who have crossed his path." (A.27).

In addition to the funeral services, sermons, and college lectures, Imam Afzali teaches Arabic and Islamic studies to young children every Saturday morning. (A.28, A.29, A.30). Even five-year-old student [REDACTED] recognizes the Imam's generosity: "Imam Afzali shares his time, pizza, and wii with us. We enjoy [the] class very much." (A.28). Zakariah Saidi calls Imam Afzali "a good teacher and funny too." (A.29). Eight-year-old [REDACTED] applies the lessons she has learned to Imam Afzali's situation: "He is a nice man and never hurt anybody.... Our religion teaches

not to fight but have peace among us. So that's why he should be let go."
(A.30).

Imam Afzali is not just a role-model to the Muslim community, but a source of great pride to his family. The Imam's mother, Salima Afzali, says of her son: "I was a teacher for almost twenty years and I have taught thousands of young students. My duty as a teacher was to present great, honest, honorable, smart, and educated individuals into society. I can proudly say that Ahmad Wais Afzali is not only my son but he was also my student." (A.31). Imam Afzali's father also expresses his pride in the Imam: "I can proudly say that my son is faithful, harmless, and a beautiful hearted human being. He is full of quality and dignity.... In the time of need he is always there whether it is a neighbor, relative, or a stranger he goes out of his way to help others." (A.1).

Walid Afzali proudly identifies himself as Imam Afzali's "youngest brother and best friend." (A.32). Walid "respects" and "adores" his brother, and considers him his "other half." (A.32). Walid cherishes the lessons he has learned from the Imam: [H]e has set a good example of what it means to live a[n] honest, conscious life.... [He] has also taught me a great deal about patience and tolerance as I have watched him assist families during their times of crisis." (A.32).

The Imam's older brother, Waheed, has also learned valuable lessons from his brother. Just before burying one of the victims of the 9/11 attack, Imam Afzali brought Waheed to see the body of the deceased. Recounting the experience and the emotional words of his brother, Waheed shares, "Viewing the body pieces of the deceased brought us both to tears. While sobbing, my brother said to me, 'Brother, I hope they find the people responsible for this and bring them to justice because this body you see is one of more than 3,000 other bodies of innocent people. No man has the right to take another's life, except God. God is the creator and when your time is up, he'll take you.'" (A.2).

Even more significant is Imam Afzali's impact on the newest generation of his family. He is a father figure to his niece [REDACTED] who says, "Through everything in life he is the man I turn to." (A.13). To his niece [REDACTED], the Imam is more than an uncle; he is a "good friend." (A.33). Imam Afzali's nephew, [REDACTED] declares that, of all the people in his life, his uncle "has influenced [him] the most." (A.34). When [REDACTED]'s parents separated, Imam Afzali would call him every day to comfort him and to make sure he was alright. [REDACTED] explains how his uncle made him a better person: "Speaking to someone everyday about the hardship of my parents separating has helped me become a stronger person

both emotionally and physically. His great advice has helped me help others, which is the greatest power any person can have.” (A.34).

While Imam Afzali is a father figure to many, he has a truly special relationship with his two children – his thirteen-year-old son, [REDACTED] and his six-year-old daughter, [REDACTED] (A.35). “With my head held way up high, I can say with great honor that [Imam Afzali] is MY dad,” announces [REDACTED] (A.35). Although the children live with their mother, Imam Afzali sees them and speaks with them often. “[H]e is so close to me,” [REDACTED] says of his father, “He comes to see me every time I ask him to.” (A.35). The children wish they had more time with their dad: “I want my dad to be here with me so he can teach me all the things he is in life so I can one day become the great dad he is. I want my dad to be here to protect my sister as she grows up.” (A.35). More than anything, they “want to be in [their] father’s arms.” (A.35).

Like his children, Imam Afzali’s wife, Fatimah Rahim-Afzali, “couldn’t imagine life without him.” (A.36). Fatimah adoringly speaks of her husband and his amazing qualities: In their three years of marriage, the Imam has been “brave and reliable, passionate [and] strong.” “He is generous to a fault, and kind to strangers.” He is “humble and tolerant.” He is “a leader in the community,” but still “grounded, funny and sincere.”

(A.36). Fatimah and the Imam dreamed of spending their lives together in this country, living in “a log cabin home on a lake with a hammock and a garden,” and “practic[ing] [their] faith in peace and tranquility.” (A.36). Although that dream will no longer come true, Fatimah feels lucky to find herself with a man who makes her “so happy.” (A.36).

As many of Imam Afzali’s dreams have now been shattered, “[t]he lesson has been learned.” (A.36). Fatimah Afzali avers: “We realize the value [of] speaking the truth even if it means speaking against your own self. Not only has a lesson been taught to my husband, but to my family and the greater community.... [J]ustice has been served already.” (A.36). The Imam’s brother Walid confirms, acknowledging that although “no excuse will justify the error in judgment of my brother[,] I can tell you that he is truly sorry and will be steadfast in holding firm to speaking the truth.” (A.32).

It is Heba Elshinawy’s hope that after reading about the “kind of person [Imam Afzali] is and all the good he has done for everyone around him,” Imam Afzali will not be judged as a “criminal,” but as “an exceptional person [who] has made a single mistake, which we are all prone to doing.” (A.37).

Although Imam Afzali must leave this country, his supporters ask that he be returned to his family, without facing any additional jail time. The Imam's brother, Walid, implores: "Your honor, with God's mercy and yours, please do not take Wais and put him amongst those [who] reside behind bars. Let him make the necessary arrangements to transition with his family, with me, my mom, dad, brother, and his kids. Let us feel the mercy of the justice system in your decision." (A.32). Latifa Hamzane requests, "[C]onsider the emotional and physical hardship he has already suffered, and the vast amount of hardship he is sure to endure once he leaves the United States." (A.13). Imam Afzali's aunt, Subhana Rahim, asks, "Please let him leave our country with dignity." (A.21). Even the Imam's young students plead for more time with their beloved teacher: "Please let him continue to teach us each Saturday for as long as possible." (A.28). To put Imam Afzali in jail would be a great "loss to those who seek his advice, Muslim and Non-Muslim.... He is the key in helping our communities ...grow," asserts Amatulla H. (A.11). Zamu Roshan Jehan, emphasizes, "[D]o not let the American community, especially the Muslim-American community lose someone like [him]." (A.10).

While the community will surely miss Imam Afzali, his family will suffer the greatest loss. [REDACTED], the Imam's nephew, states with confusion,

“It is hard to see a man with such great intentions being away from society, he is needed here.” (A.34). His niece [REDACTED] is full of despair: “Without uncle Wais I will lose everything.” (A.33). The Imam’s father desperately asks, “[D]on’t take my baby and my heart away from me.” (A.1). The Imam’s young son expresses, “It hurts me to hear my sister call out daddy, and daddy is not here.” He begs, “Please, please, please don’t take my father from me and [REDACTED]” (A.35).

“Waiting anxiously,” Imam Afzali’s supporters hope for “compassion,” “forgiveness,” and for the Imam to return to his family without serving any additional jail time. (A.8). The Imam’s brother Waheed implores, “Our family and ... the community need his presence, please spare him as he has suffered enough.” (A.2).

III. THE INSTANT OFFENSE

Previous filings in this case, by the defense and the government, have provided the relevant background to the investigation and the circumstances surrounding the offense conduct. There are a few facts, however, that bear highlighting.

Imam Afzali did not, *sua sponte*, insert himself into this investigation. Members of the New York City Police Department’s Intelligence Division,

with whom Imam Afzali had cooperated in the past,¹ reached out to him on September 10, 2010, requesting any and all information that he could obtain regarding Najibullah Zazi and his associates. We now know that federal and local officials understood that Mr. Zazi was preparing to engage in a major terrorist attack in New York City the next day. The NYPD, while not conveying this information to the Imam, did convey a great sense of urgency. Imam Afzali began to cooperate immediately. Because of the urgent nature of the situation and the desperate need for concrete intelligence, the NYPD provided little guidance as to what the Imam should or should not do. Results were what mattered.

Other people, more venal, would have demanded a price for cooperation. Other people, less concerned with terrorism or more concerned with minding their own business, would simply have refused. Most other people, more concerned with their own welfare, would have contacted a lawyer. Imam Afzali asked for nothing, immediately agreed to help, and, heedless of his own well-being, did not contact counsel.

Had Imam Afzali called counsel, he would not be before the Court today. An attorney would have worked out the ground-rules for his assistance with the authorities, and would have been able to navigate the

¹ Imam Afazli did not request, nor did he receive, any benefits for his assistance, except for the sense of well-being that civic virtue can provide.

turbulent currents that roiled the FBI and the NYPD. Of course, all of this would have taken time, and time was the one commodity in short supply on September 10th. Imam Afzali trusted the NYPD officials with whom he had worked. He had no inkling that the NYPD was acting independently of the FBI. He could not know that the FBI would blame him when they believed (erroneously, as it turned out), that the NYPD had compromised the investigation.

But neither the NYPD, nor Imam Afzali, compromised the investigation. Mr. Zazi learned that the government was aware of his activities when he was stopped by the Port Authority Police Department, acting at the direction of the FBI, before he entered New York City. The ruse for the stop was a “random” drug check, but Mr. Zazi was not fooled. Mr. Zazi directed that the TATP be discarded and aborted the planned attack.² Imam Afzali’s contact with Mohammed and Najibullah Zazi on the morning of September 11, 2010 **alerted the FBI** to the fact that their investigation had been compromised. The FBI did not know that they had blown their own cover. They blamed Imam Afzali.

² There is additional, non-public evidence suggesting that Mr. Zazi knew of law enforcement’s interest in him prior to departing from Denver.

It was with this mind-set that the FBI took over the investigation and began their interrogation of Imam Afzali. Imam Afzali, fearing he had done something wrong by telling Zazi of law enforcement's interest in him, lied to the FBI. He was afraid. The lie was a crime, and cannot be excused or justified. Indeed, Imam Afzali has made no attempt to do anything other than explain why he lied and acknowledge that it was a betrayal of his values and his duties. Having told the lie once, he felt boxed in and repeated it again. For their part, the FBI knew Imam Afzali was being untruthful (they had the taped conversation, after all), and consciously chose to have him repeat the lie in different venues to insure that, no matter what else happened, Imam Afzali could be charged with *something*.

IV. CONCLUSION

Imam Afzali is now a convicted felon, and must leave this country within ninety days of completing whatever sentence the Court imposes. He will never be able to return. A more forgiving government, recognizing that its own agents played a significant role in the series of foul-ups leading up to Imam Afzali's midnight interrogation and lie, might suggest an exchange of handshakes all around and just let the guy go. We asked; it said no. But at least the government is not asking for jail. That's something, these days.

Dated: New York, New York
April 9, 2010

Respectfully submitted,

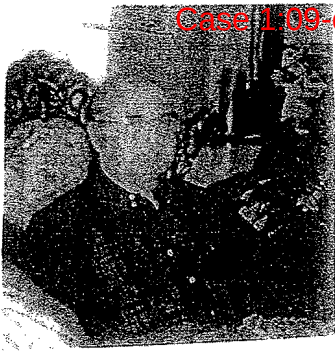


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APPENDIX

Letters of Support



Zalmay Afzali

Hon. Frederic R. Block
U.S. District Judge
225 Cadman Plaza
Brooklyn, NY 11201

Dear Hon. Block,

My name is Zalmay Afzali and I am the father of Imam Ahmad Wais Afzali.

We have lived in America for the last four generations. My father and two of my uncles are buried in Washington Memorial in Long Island. I have been here since 1981 raising my family and building a better life. My children were educated by the NYC public school system and both of Ahmad's brothers have been granted their citizenship. We have been diligent in helping Ahmad to accomplish the same however for one reason or another it has not been granted. Furthermore all my sons have grown up and had children of their own.

I can proudly say that my son is faithful, harmless, and a beautiful hearted human being. He is full of quality and dignity. He is a hard working young man pursuing his American dream. In the time of need he is always there whether it is a neighbor, relative, or a stranger he goes out of his way to help others. He loves this great country and is proud to be part of this great nation. I remember when we went to HAJJ (pilgrimage to Mecca). Coming back from HAJJ at the Kennedy airport he got on his knees, bent down forward, kissed the ground and said "Thank God we are home". He just loves this great nation.

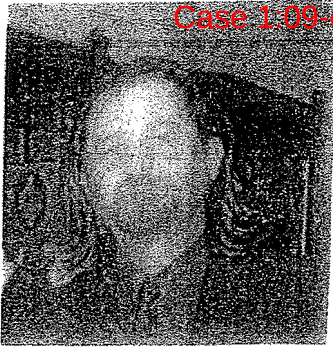
I can write pages about his love for the United States and its people. But time is of its essence for you and I won't take your valuable time.

As a proud father I am requesting you humbly to please do not give him any jail time and don't take my baby and my heart away from me.

Due to the strain and wars raging in Afghanistan, me and my wife's whole family (both nucleus and extended) have relocated to the United States and established themselves as citizens or permanent residents.

Respectfully yours,

ZALMAI Afzali
Zalmay Afzali



Waheed Afzali

[REDACTED]

Hon. Frederic R. Block
U.S. District Judge
225 Cadman Plaza
Brooklyn, NY 11201

March 22, 2010

Honorable Frederic R. Block,

My name is Ahmad Waheed Afzali, I am the older brother to Imam Ahmad Wais Afzali and am writing this letter to express how deeply saddened I am by this situation. Although my entire family's life has been greatly affected by this situation, we all are in hopes of justice being served and Wais returning home to his family without any jail time being served.

Wais has been in America since 10 years old and he and I have never been back to our native land. We grew up in this beautiful country to pursue the "American Dream" together until this recent unnecessary and unwelcomed situation arose. Wais is a religious, peaceful and respectful American resident who would impose no harm on this nation. He is a proud American resident who hopes to be buried in U.S. soil. Wais is an Imam—a leadership position within the Islamic faith and the religious director of a funeral home in New York. He is a faithful person who would never use religion to impose harm on anyone or on this great nation.

When the devastating 9/11 attack occurred in New York City, my brother buried a victim of the twin towers tragedy at his funeral home. He took me to the cooler where deceased body was in several parts and vacuum packed and stored in the cooler. Viewing the body pieces of the deceased brought us both to tears. While sobbing, my brother said to me, "Brother, I hope they find the people responsible for this and bring them to justice because this body you see is one of more than 3,000 other bodies of innocent people. No man has the right to take another's life, except God. God is the creator and when your time is up, he'll take you."

I ask that you consider the words within this letter as they are honest and true; however, these words cannot express the turmoil our family faces as a result of this situation. Our family and those who Wais supports within the community need his presence, please spare him as he has suffered enough.

Respectfully and sincerely yours,

Ahmad Waheed Afzali

SHAZIA SHAH

[REDACTED]

[REDACTED]

Hon. Frederic R. Block
U.S District Judge
225 Cadman Plaza
Brooklyn, NY 11201

Dear Hon. Block,

My name is Shazia Shah and I'm Imam Afzali's oldest brother's wife. I am writing this letter to you, Honorable Judge, to express how deeply sad I have become by this situation and how I hope and pray to our Great GOD that Imam Afzali will be returning home to his family without serving jail time.

I have known Imam Afzali for the past 13 years and I have never seen him to have a single thought or deed which would indicate he has the capacity to harm this country. In fact he is always willing to work for this great nation for a nominal fee. He is all about respect and peace and not much else. He is faithful to his family, his religious, and this country. He would never use religion to harm anyone.

We (his family) and he are all proud to be in this country and we have all become American Citizen except Imam Ahmad. It was always our hope that he too would complete this process as we always hoped to do good things for this great nation.

I request that you consider the words within this letter as they are sincerely from the bottom of my heart. Although my words cannot express the turmoil our family has faced as a result of this situation, you can imagine the joy you would bring us by granting Imam Afzali the ability to start fresh sooner rather than later.

Please , Please , Please Honorable Judge return my respectful brother in law Imam Afzali home to his family without any jail time being served.

Respectfully yours,

Shazia Shah

Shazia Shah.

Xaviar Porter

March 16, 2010

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

Dear Honorable Judge Block:

I am writing on behalf of my dearest brother-in-law Ahmad Afzali. I have known him since his marriage to my sister, Fatimah, which is about 3 years now and counting.

I first met Ahmad when I was coming back from Egypt, and didn't have anywhere to stay. When I told my sister about my situation, she told me "don't worry my husband said you can stay here." Not only did I feel relieved, but also grateful that a stranger would let me into his home.

Ever since then, I have known Ahmad to be a caring, kind, honest, and an awfully generous person. He doesn't have the reputation of doing things so the people will praise him, or spread the good word about him. But I personally saw that he does it out of the goodness of his heart.

Ahmad, since I've known him has never told me "No," he couldn't help me. And he is the same with everyone. Ahmad is known for his sincerity, honor, and integrity towards himself first, then the people of this land.

Writing isn't enough to speak on behalf of Ahmad's character but it's a start. I pray that the influence of my letter will help set Ahmad free mentally of the suffering he has been going through in these past months.

It isn't right for anyone of his status to be humiliated like that. I only pray that it comes to an end sooner than later, so that he and my sister can return to their lives of decency and peace as it was before.

If there are any questions feel free to contact me directly at [REDACTED]

Sincerely,

A handwritten signature in black ink, appearing to be 'Xaviar Porter', with a long horizontal stroke extending to the right.

Xaviar Porter

Gina T. John

[REDACTED]

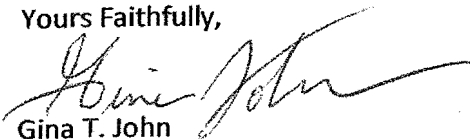
[REDACTED]

Hon. Frederic R. Block
U.S. District Judge
225 Cadman Plaza
Brooklyn, NY 11201

To The Honorable Judge Frederic Bloc;

I'm writing this letter in regards to Ahmad Wais Afzali. My name is Gina John and I have known Ahmad Wais Afzali for the past 10 years as he has been a valuable family friend to my family and I. I can confirm that he has been a very influential person in the life of others as well as mine, especially while growing up in New York. Mr. Afzali would always help those who were in need and would set a good example for others. Furthermore, he was an asset to our community and made countless attempts in reaching out to the younger generation to stay on the right track. Mr. Afzali was not only a mentor but a leader in our community being an Imam. With the presence of Mr. Afzali within our community, he has brought happiness, success, integrity and bondage between families. To even think of the unthinkable with Ahmad Wais Afzali not being with us will leave others in spite and misery by leaving a family, community and a country that he loves behind. I personally see Mr. Afzali as one of the most helpful souls within our community by helping others, especially the less fortunate, with every chance and opportunity he gets. He is a man of good deeds and moral character as well as a person that considers and refers to this country as his "home."

Yours Faithfully,


Gina T. John



Masjid: "Omar Ben Abdel-Aziz"
Web site: www.mobaatif.com

The Islamic Foundation, Inc,

88-29 161 STREET, JAMAICA N.Y, 11432

'Abdul 'Azeem Khan / Imam & General Director

Masjid: 718-291-1190 / Imam: 718-541-8485

In the Name of Allah, The Compassionate, The Merciful,

All Praises are for Allah! Peace and Blessings of Allah be on

Prophet Muhammad (S A W)



The Honorable Mr. Frederic R. Block,
United States District Judge.

Dear Honorable Judge Block,

Greetings!

My name is Imam 'Abdul 'Azeem Khan. I am the Imam of the above stated organization for over twenty years. Our congregation is about one thousand worshippers.

I can truly say from the bottom of my heart and on behalf of the congregation that Imam W. Ahmad Afzali is a true asset and helpful to our community. At times of need in family crisis he has always been there to serve with compassion, wisdom, and caring. He is a Dedicated Imam, Husband, Father, Son, and a true supporter not only to this community but to other communities and also other faiths as well.

He is highly educated in his field and has a great respect for this country of ours,
The United States of America.

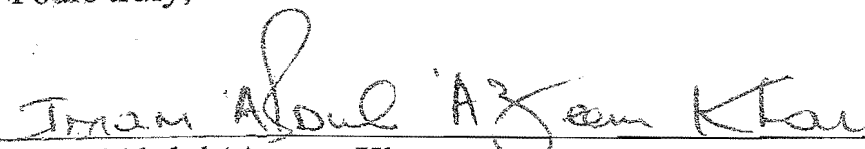
To my knowledge after 911 he has been very helpful with the Law enforcement. I could go on saying on his behalf but would not take your precious time.

Therefore I beg of you on behalf of the greater community, please do not take the Imam away from us. During this ordeal he, his family and friends have suffered a lot.

May God Bless us and may God Bless the United States of America.

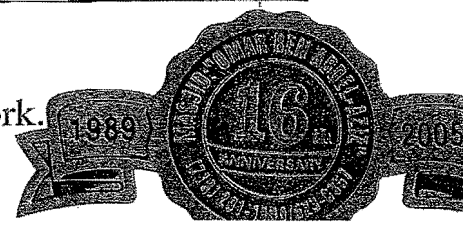
Thanking you.

Yours truly,


Imam 'Abdul 'Azeem Khan

(Imam Al-Mudeer Al-'Aam' / Clergy- General Director/ Founder
/Head Trustee/ Marriage Licensed Officer with the State of New York.

MARCH 26, 2010.



Nauman Cheema
[REDACTED]
[REDACTED]

March 21, 2010

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

Dear Honorable Judge:

I am a software engineer by profession and have known Mr. Afzali for approximately 6 years. To the best of my knowledge and belief, I have found Mr. Ahmad to be a humble individual with compassion for humanity, a well-wisher and a person of upright character.

Mr. Afzali has been known for providing out of pocket, free funeral services for those who couldn't afford it. I have witnessed it myself for at least on three separate occasions, where I personally participated in funeral arrangements for people who died without leaving behind any guardians to take care of their last rights.

Over the period of time that I have known him, I have seen Mr. Afzali in the capacity of a good friend that cares, a social worker that's there to help beyond the boundaries of religion and race, an appreciator of the his country The United States of America and a good civil individual overall.

It's painful to see Mr. Afzali going through these tough times. I sincerely hope that may Mr. Afzali be rescued from this distress, to be able to start re-establishing his life.


If there are any questions feel free to contact me directly at [REDACTED]

Sincerely,

Nauman Cheema

Nauman Cheema

Maryam Afzali



Hon. Frederic R. Block
U.S. District Judge
225 Cadman Plaza
Brooklyn, NY 11201

Dear Hon. Block,

My name is Maryam Afzali and I am Ahmad Wais Afzali's eldest niece. Each and every one of our lives has taken its biggest turn by this troubled situation. A turn so indescribable, words cannot explain. But through the pain in our bodies and through the tears in our eyes it can be witnessed. Waiting anxiously we have great hopes of compassion and forgiveness being served and Wais returning to his family.

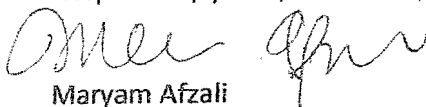
Wais is not only an uncle to me, but a father figure, and even more than a father figure, a friend. Please don't take this man from our lives.

Through everything in life he is the man I turn to; until recently. How can I be there for him now and return the favor to him in this time of his suffer and need.

Wais is a loving being to his family, a religious leader to peers in the society, and a peacemaker among thousands, and most of all just an American citizen who simply loves the country he resides and grew up in. He would never put these great qualities to waste. Never put down the lives of the one's he's truly touched.

Wais is a son, a brother, a husband, an uncle, and most of all, a father. Please don't give him any jail time nor take him away from us. The past few months have been enough suffer for him. We *need* him. Please take my thoughts, feelings, and words into consideration in which I've spoken nothing but the honest truth.

Respectfully yours,


Maryam Afzali



<http://www.masjid-abubakr.org>

In The Name Of Allah, The Most Gracious And Beneficent
انجمن اسلامی عاطفہ متولی مسجد حضرت ابوبکر صدیق (رض)

ATIFA d/ b/ a Masjid Hazrat-i-Abubakr
141-47 33rd Avenue, Flushing, New York 11354
Mailing Address: P.O. Box 536, Old Bethpage, New York 11804-0536
(718) 358-6905

email: info@masjid-abubakr.org

03/01/2010

To Whom It May Concern:

Ahmad Wais Afzali was hired as a contract Labor in 1999 to be an Assistant Imam . In 2001 he submitted a resignation letter due to his decision to travel for the Sacred Pilgrimage (Hajj).

Mr. Afzali's primary responsibilities (voluntarily) included but where not limited to:

1. Providing Islamic Education classes regularly for both Youth and Adults.
2. Assist the Imam (Head Clergy)
- 3.Coordinating religious events for the community
- 4.Managing the daily activities for Masjid
- 5.Participating in Interfaith Activites
- 6.Leading the Prayers daily (in absence of Imam)

Mr. Afzali was hired upon completion of his Islamic Education. He was a valuable Contract Labor and is a respected Imam. As an Imam, Mr. Afzali has proven to be a valuable asset to the Muslims, Christians, and Jews.

If you have any questions, feel free to contact:

A. R. Jalili

Abulrahman Jalili

President Atifa d/b/a Masjid Hazrat-i-Abubakr

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

Dear Honorable Judge:

Sheikh Ahmed Afzali is an amazing person. Yes, he came to Brooklyn College and lectured the students, a fine lecture. But, I met him once in person, when he alone gave my mother an Islamic burial. He was so open-minded, and so humble. It is a character trait that is lost among all people. I was not even sure if my mother was a Muslim, in which case, if she was not, you are not allowed to give this person an Islamically-styled burial. But, despite me, expressing this concern, Sheikh Afzali proceeded with the burial, anyhow. He mentioned that no one knows what's inside someone's heart, and it is Allah who will judge. And, to add to this I am a Muslim female. He didn't turn me away, and he answered all of my questions and advised me and my brother. Whatever stereotype, you have, I think it is imperative that you drop it. Based on these factors, do you actually believe that Brother Afzali, would do acts of terrorism against the American community. Every word he said I wish I could have maintained in my mind. So, I am sad I could not hear him lecture another time. But from the things he said, he possibly could not have been related to terrorist charges.

At my mother's funeral, it was mostly non-Muslims who attended. He gave a lecture, that even the very strong Christians there, were nodding their heads to. Even, one of them came up to me, and expressed how right he was. He probably has to be the first person that opened my mind to how truly amazing pious Muslims really are. He has the character of a scholar, although he has brushed off and even in ways denied it. You will be losing an amazing person in the community, if you deport him. Although, this letter is anonymous, due to me not being aware of this earlier, (I, sign, off with my mother's name), I plead that you release our brother. I beg that you release my brother. He is hope for our community, for our youth, that could otherwise, go off in extreme or careless paths, and it is characters like him that decrease the ignorance, the hate, and the extremism. He gives hope to me and to others alike, as he helps so many cope with the, many times, lonely deaths that occur in the community. He took that role on solely, at least from the few years ago that I remember. This is truly someone who is an activist who does good for his community.

My mother was not Muslim for a while. That is for sure, although, I believe, she became Muslim, again, later. But, the reason, I am sure that she was not Muslim for a period of time, was because of the ill way many so-called Muslims treated her. I am so glad that, in the end, it was a Muslim that gave her the most proper treatment. I saw my mom, who I did not live with, in such an utter state from the stroke she experienced before she died. But, upon coming to the Funeral home, and the preparations that Sheikh Afzali's funeral home undertook, her face looked truly in peace. Her face seriously glowed with light. How can such a person, who helped my mom, really be a bad person?

Again, I plead that you do not let the American community, especially, the Muslim-American community lose someone like Sheikh Ahmed Afzali.

Sincerely,
Zamu Roshan Jehan

A handwritten signature in black ink, appearing to read 'Z.R. Jehan' with a stylized flourish at the end.

Amatulla H.

[REDACTED]

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

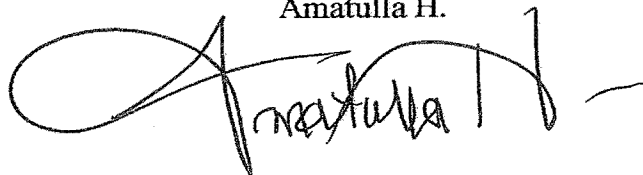
Dear Honorable Judge:

I am Amatulla H and have admired Imam Afzali for the great work he has assisted many college students with, in the few years I've seen him. It would be a crime to hold such a man in jail, to not live amongst our community after numerous positive changes have been made because of his intellect and readiness to assist those in need.

He visited Brooklyn College for lectures and this man has greatly benefitted the effort to bring both Muslim and Non-Muslims together to learn and speak openly to one another about the misconceptions about Islam. He left an incredible impression on the students who were not Muslim and was always open to answering their questions without hesitation. He has one of the most genuinely trustworthy and engaging characters that this world has seen in a long time. His sincere advice aided many young men and women at Brooklyn College to further their studies and encouraged that they know their true paths (i.e. doctors, lawyers, etc.). He taught us not to waste time, but to always use our intellect and time wisely and for the best of our community. Some parents don't even advise their children the way he has advised strangers at Brooklyn College! This man is amazing in his efforts and he made a difference in so many lives thus far.

Anyone can understand the physical and mental strain that people go through in this process, he doesn't deserve it. It would be a complete loss to those who seek his advice, Muslim and Non-Muslim. He is a great community builder and we don't want to see this man under any more burdens than we have witnessed thus far. Please, we beg you, do not punish this man; he is the key in helping our communities, Muslim and NonMuslim, grow!

Sincerely,
Amatulla H.

A handwritten signature in black ink, appearing to read 'Amatulla H.', with a long horizontal stroke extending to the right.

Ahson Mahfooz
[REDACTED]

March 16, 2009
Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

Dear Honorable Judge:

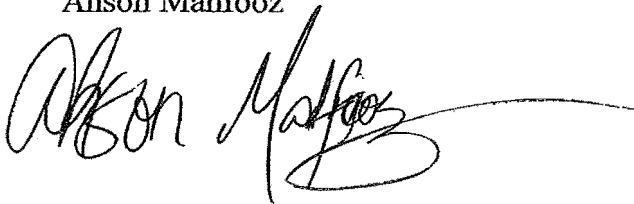
I am Ahson Mahfooz and have known Imam Afzali for 5 years. He assisted me in becoming a better American Muslim so that I may help my community grow in a Positive manner.

I have known Imam Afzali through events he has done at Brooklyn College. He was invited as a guest to numerous events at Brooklyn college to talk to the students of various clubs about Leadership and giving us advice on ways to live a better and pure Life. Imam Afzali has shown his love for the US by always being a good American citizen. Imam Afzali is an amazing guy, I'm really going to miss him once he is gone. By the way, he really is a handsome guy.

Imam Afzali should not be given any jail time. He has suffered enough by being cut off from so many of his friends and not being to be able to live a peaceful and joyful life just like any other US citizen.

If there are any questions, feel free to contact me at [REDACTED]
Sincerely,

Ahson Mahfooz



Latifa Hamzane
[REDACTED]

Hon. Frederick R Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

Dear Honorable Judge,


I am Latifa Hamzane and I have known Afzali for 3 years. He has done a few events for the Muslim Student Association in Brooklyn College after which all attendees grew to appreciate him a lot more. He also did an event in the College of Staten Island; it was a multi-faith panel with a Priest, a Rabbi, and an Imam (Afzali) discussing their respective religions. Among the attendees were Jews, Christians, Muslims and atheists, yet irrespective of religion each person applauded Afzali's good humor, effective speaking methods, and his positive aura. He has positively influenced all who come in contact with him, always promoting peace and equality in addition to respect for other people irrespective of religion or race. He is also the one who performed the marriage ceremony between my husband and me, more than a year ago, and I remember that day as if it was just yesterday. From the first day that I met him, he has been nothing but cordial and respectful, he always has good advice to give, and he is always promoting tranquility and good will.

Everyone makes mistakes and there are always consequences. Afzali is leaving the country as well as all his family and friends behind, he has to relocate and get accommodated with new surroundings all over again at an age when he should be resting and aging with loved ones by his side. This is a heavy emotional burden as it is, without adding any other penalties on him. As a judge, you see many cases in front of you, and you know the people by the crimes they commit, the mistakes they make, but you do not hear about the good that they have been doing their entire lives. I am writing this letter to tell you about the other side of the person you see as just another case, just another judgment. I am making a sincere request for you to consider the emotional and physical hardship he has already suffered, and the vast amount of hardship he is sure to endure once he leaves the United States. I have full faith in your ability to consider all the facts carefully and make an appropriate judgment regarding such an important member of our community.

If you have any further questions feel free to contact me at [REDACTED]

Sincerely,


Latifa Hamzane

Ali Jawad



March 26, 2010

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

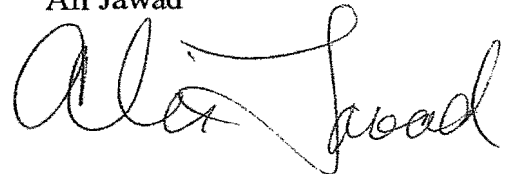
Dear Honorable Judge:

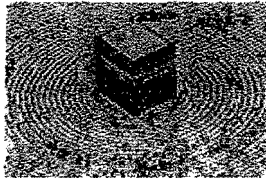
I am Ali Jawad and have known Imam Afzali almost two years. I am a student from the College of Staten Island. I was also the previous president of the Muslim Student Association. About a year ago, I organized a multi faith event in the College of Staten Island. There was a Rabi, a Priest, and an Imam. Each speaker had 15 minutes to discuss the topic "Who's God." Our original speaker canceled on us the day before the event. We desperately struggled to find a replacement, but was unable to. Just when we've given up all hope, Imam Afzali agreed to take the task. The audience was awed by his charm, wittiness, and manners. Hillel, the Jewish club, was exceptionally pleased with him. They requested that we bring him again.

It pains me to see the troubles and humiliation Imam Afzali is going through. The purpose of this letter is to persuade you to relieve this gracious man from anymore distress. He is a sweet and humble man, and there is no doubt that any harm caused by him were unintentional and with entirely pure intentions. He is a man of excelled character, and I beg that you show him leniency. Please exonerate him from any further persecution, and spare him from serving time in prison.

If there are any questions feel free to contact me directly at 

Sincerely,
Ali Jawad





Masjid Abubakr & Community Center

116_45 Sutphin Boulevard
Jamaica NY 11434

Honorable Mr Frederic R Block
United States District Judge
225 Cadman Plaza
Brooklyn NY

Dear honorable judge, we members of Masjid Abubakr & Community Center, in Jamaica Queens NY, have known Mr Afzali for more than three years now through the Islamic Funeral Service where he works now. He has been serving our Community since we knew him. Furthermore, he always leads our Friday Prayer whenever we are in need of him positively. Through the preaches he gives us on Fridays, he often tells us about how great this country(USA) is. Therefore, we are delighted to let you how kind this man is to our Community.
Your sincerely

Masjid Abubakr & Community Center

Chairman:

A handwritten signature in black ink, appearing to be 'Afzali' or similar, written in a cursive style.

March 21, 2010

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

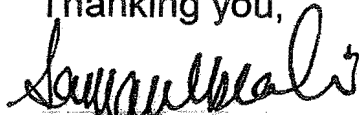
Dear Honorable Judge,

My name is Saman Ibrahim and I met br. Imam Afzali about 4 years back, when he assisted us in arranging my father's funeral.

He was very helpful to guide me, he helped and supported us through a very difficult time in our lives.

He always had great regard for this country and always advised us to be positive towards the country we live in.

Thanking you,



Saman Ibrahim

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

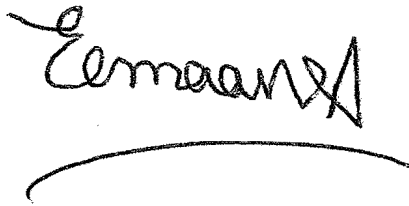
Dear Honorable Judge:

I am Eemaan Khurram and I've known Brother Afzali for 3 years ,he assisted us in arranging my grand father's funeral.

He always told us to be good to our country and be a good citizen .

Thanking you,

Eemaan Khurram

A handwritten signature in black ink, appearing to read 'Eemaan Khurram', with a long horizontal flourish underneath.

In the name of Allah, the Beneficent, the Merciful

MUSLIM CENTER OF NEW YORK

137 -58 GERANIUM AVENUE FLUSHING N. Y. 11355 TEL. 718-460-3000, 445-2642 FAX: 445-2175

Invite with wisdom and beautiful preaching to the way of your Lord and convince them the best way: (Holy Quran: 16:125)

March 22, 2010

TO WHOM IT MAY CONCERN

It is my pleasure to write this letter on behalf of Mr. Ahmad W. Afzali. Mr. Afzali is very well known in the community and a very active social worker. Anywhere there is need for help or assistance Mr. Afzali is always there to care and share, and provides the needed help and assistance. Mr. Afzali is very actively involved in Islamic Funeral arrangements and Islamic Burial & Shipping Services.

I know Mr. Afzali for last 5 years. He is a practicing Muslim; has a charming personality and amiable character.

I wish him the best of luck.

Please feel free to contact the undersigned if you have any question concerning the above.

Sincerely,



Benyahya Abdelghani
Assistant Director

HILLSIDE ISLAMIC CENTER

March 17, 2010

To Whom It May Concern:

I am writing this letter at the request of Imam Ahmad Afzali who is the funeral director of Islamic Funeral home in Ozone Park, Queens. I have known Imam Afzali since 1997 while he was working as assistant Imam at Masjid Abubakr in Flushing, Queens. Imam Afzali has performed funeral services for many members of our Masjid and delivered sermons at our Masjid on a few occasions. We found Imam Afzali to be very helpful, courteous and posses a commendable knowledge in Islam.

We wish him the best in both here and hereafter. May Allah (SWT) bless him for his work for the betterment of Muslim communities and the communities at large in New York.

Sincerely,



Abdul Aziz Bhuiyan

Director.

300 HILLSIDE AVE, NEW HYDE PARK, NY 11040

PHONE: 516-488-6440

Obaid Achekzai

Hon. Frederic R. Block
U.S. District Judge
225 Cadman Plaza
Brooklyn, NY 11201

Hon. Block,

I Obaid Achekzai a citizen of the United State of America residing in Fairfax County, Virginia am respectfully writing this letter to express my personal opinion in regards to Mr. Ahmad Wais Afzali whom I have known for many years . In 1989 I had a call from my cousin from Harrisburg, Pennsylvania about my 17 years nephew Mustafa Rahimi who hanged himself and took his life by committing suicide. The entire family especially his parents were severely devastated by this tragic incident. I called Mr. Wais Afzali and told him about the situation. One hour later Mr. Afzali showed up at our House in Vienna, Virginia and offered his help and assistance. He canceled all his previous commitments and went with us to Harrisburg, Pennsylvania. He helped the family spiritually and also arranged the funeral and burial services. Mr. Afzali has been a good asset to the community due to his devotion and dedication as an imam to public, health facilities, and community centers. . He has helped and supported terminally ill patients in the hospitals, hospices and their homes, assisting people who lost their loved ones with funeral precessions, and attending and conducting wedding and engagement ceremonies. He has helped to educate the young generation to abide to the rule of law and to be a good member of the community. With great respect I hope you consider my opinion in your judgment toward Mr. Wais Afzali's case.

Best regards,

Obaid Achekzai

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

Dear Honorable Judge:

I am Shadma Khurram and I've known Iman Afzali for 3 years ,he assisted us in arranging my father's funeral.

He was very supportive, he helped and guided us through a very difficult time in our lives.

He has always advised us to be positive and appreciate the great country that we live in.

Thanking you,

Shadma Khurram .

Shadma Khurram

20 March '10 .

03-22-2010

To whom it may concern:

My mother and a brother passed away about four years back and I needed help to do the funeral according to our religion requirements. I was referred to Mr. Ahmad W. Afzali. He not only took care of entire funeral process, but made several visits to our family to give us comfort and advise. He is very gentle and friendly person that we were very lucky to have at the time of deaths in the family. I wish him well for the difficult times he is going through.

Mahboob Khan 


Subhana A. Rahim, Esq.

[REDACTED]
[REDACTED]

March 16, 2010

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

Dear Judge Block:

I have known Imam Afzali since August 2005 when my father died. My father's death was sudden and unexpected, so my family needed a lot of support. Imam Afzali's support was invaluable. Although death is certain, grieving a loved one is not easy. Nevertheless, the Imam gently guided my family through our death experience and gave my father a dignified and lovely janaaza (funeral). Because of the Imam, my memories of my father's funeral are warm and loving. We will always be grateful to him for this.

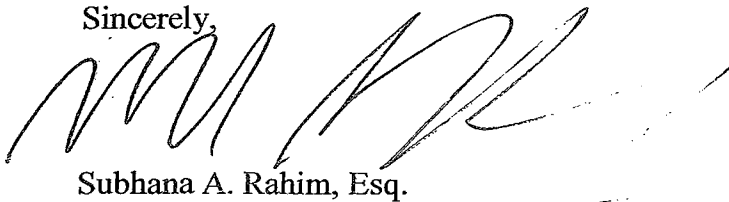
A year later, my family had the pleasure of making the Imam a part of our family. He married my niece. Now, he is my nephew, Ahmed. This thought always brings a smile to my face because he is older than me and calls me "Aunty."

I have visited his home on many occasions. He has welcomed me in and has been loving and gracious to my young children. There is always has a delicious spread of food ~ chicken, beef, fish, rice, pasta, pizza, juice, soda, cake and other desserts. You name it, and it is there. But, more than the food is the love and laughter that fills the air. Ahmed has big spirit that is always giving, healing and nourishing those around him.

Our family has suffered enough. My niece and Ahmed have suffered enough. Please let him leave our country with dignity.

If there are any questions feel free to contact me directly at [REDACTED]

Sincerely,



Subhana A. Rahim, Esq.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

MASJID NUR AL ISLAM

1151 Sherman Avenue, Bronx, NY 10456

Tel: (718) 537-8318

مسجد نور الاسلام

١١٥١ أفنيو شيرمان، برونكس، نيويورك ١٠٤٥٦

هاتف: ٧١٨-٥٣٧-٨٣١٨

Mailing address

PO. Box. 653

Bronx, NY 10456

العنوان البريدى

ب.ب: ٦٥٣

رونكس، نيويورك ١٠٤٥٦

Tuesday, March 23, 2010

Ahamed W Afzali

Hon Frederic R Block

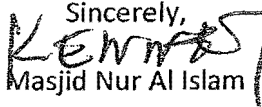
United States District Judge

225 Cadman Plaza

Brooklyn NY

Dear honorable Judge

We are the community of Masjid Nur Al Islam 1151 Sherman Ave Bronx NY 10456. We know Mr. Afzali round about five years. Through the Islamic funeral services he is being doing for our community also through the Friday sermons he is being given to our community and when ever we are in need of him he is always there. He also during his sermon and speeches he tells us good example and remarks about America, what we know about him that he loves America. Therefore we know Mr. Afzali to be of good character, honest and trustworthy.

Sincerely,

Masjid Nur Al Islam

Imam

SUNNAT-UL-JAMAAT OF N.Y. INC.

112-03 101 Avenue
Richmond Hill, New York 11419
(718) 805-9232

Mohamed F. Khan,
President
Kamal Khan,
Treasurer
Ahamad Ali,
Imam

March 22, 2010

Honorable Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York 11201

Dear Honorable Judge:

We, the undersigned of the Sunnat-Ul-Jamat of New York, Inc., do hereby acknowledged and testify on behalf of Imam Ahmad W. Afzali's outstanding service. He has diligently served in our community for almost a decade. His loyalty to his country, his faith, his community, family and friends has been above and beyond the call of duty. He has provided outstanding service and shown true dedication towards the diverse needs and concern of our congregation and the surrounding community.

Thank you for your attention to this matter. If you have any further questions, please do not hesitate to contact either Mohamed F. Khan at (646) 753-0617 or Imam Ahamad Ali at (718) 824-3032.

Very truly yours,

Mohamed F. Khan

Mohamed F. Khan
President

Ahamad Ali
Imam Ahamad Ali

Rustam Abdullaev

[REDACTED]
March 17, 2010

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

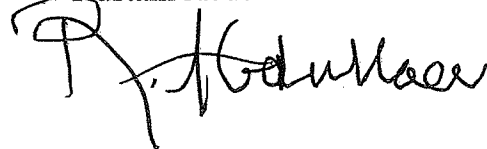
Dear Honorable Judge

I am Rustam Abdullaev and have known Imam Afzali for about a year. I have repeatedly volunteered his at funeral washings. From the first day that I met him, he has been nothing but friendly and courteous, he always has excellent advice to give, and he is always encouraging tranquility and good will. He has positively influenced me in many ways, always supporting peace.


I believe that Imam Afzali had endured enough hardship so I ask you to please consider that and not give him time to serve. A man with his character and morals does not belong in jail.

If you have any further questions feel free to contact me at [REDACTED]

Sincerely,
Rustam Abdullaev



Noor Rabah



Hon. Frederick R Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

Dear Honorable Judge,

I am Noor Rabah. I have known Shaykh Ahmed Afzali for approximately 4 years, but I have spent much time with him to feel that I've known him for most of my life. I worked with him in the funeral home for about a year and the time that we have spent, along with the experiences we have encountered together- as coworkers and as brothers in faith, I am proud to say that he is a Father figure to me.

I have been with Imam Afzali through times of ease and hardship, through times of patience and through times of guidance. He has an extremely high level of moral character and those who have attending his lectures or walked into the funeral home can testify to this fact.

His services in the funeral home is not that of one on a business level, rather he took his career to a personal level and saw to it that each family was attended to, consoled, educated on life and death- and due to this and his mannerisms while carrying out his job, he created and strengthened bonds amongst family members, amongst brothers and sisters in faith, and even amongst nonMuslims who have crossed his path.

The true Judge is the Creator of the Heavens and Earth and all in between, but you share an extremely valuable and precious position in making very effective decisions in pursuit of Justice.

And I respect that you have earned your position through studies, years of sacrifice and tons of experience. So I humbly ask you to remove Imam Afzali from any more hardship and embarrassment that he already had to experience. Prison is for people who can't live decently amongst their societies. Imam Afzali surely doesn't belong there.

Sincerely,
NoorudDean Rabah



From: [REDACTED]
To: Judge E. Lee
Re: Imam Ahmad Afzali
Date: March 28, 2010

My name is [REDACTED] and I am a 5 year old student of Imam Ahmad's arabic class

My mom takes us every Saturday morning for 2 or 3 hours to study arabic and Islamic studies.

Imam Afzali shares his time, pizza and wit with us.

We enjoy Imam Afzali's class very much.

Please let him continue to teach us each Saturday for as long as possible.

Thank you
[REDACTED]
[REDACTED]

From [REDACTED] [REDACTED]

TO: Judge Block

Re. Iman Ahmed Afandi

Date: March 22, 2010

My name is [REDACTED] and I'm
9 years old. I'm an Afandi,
isn't a teacher. I think
he is a good teacher
and funny too.

So please don't put him
in jail and don't punish him
any longer because he learned
his lesson!!!

Please be nice and let
him take us to Hajj this year.
his student,

[REDACTED]

From: [REDACTED]



To: Judge Block

Re: Imam Ahmad Afzali
Date: March 22, 2010

My name is [REDACTED] and I am 8.
Ahmed Afzali is my arabic teacher.
He is a nice man and never hurt
anybody. He learned many things
from his experience. Our religion
teaches not to fight but have peace
among us. So that's why he should
be let go. We also prayed for him
and my family to go on a sacred
journey muslims call Hajj.

PLEASE DON'T THROW HIM IN
JAIL!

Salima Afzali



Hon. Frederic R. Block
U.S. District Judge
225 Cadman Plaza
Brooklyn, NY 11201

Dear, Hon. Block,

My name is Salima Afzali and I am Ahmad Wais Afzali's mother.

I was a teacher for almost twenty years and I have taught thousands of young students. My duty as a teacher was to present great, honest, honorable, smart, and educated individuals into society. I can proudly say that Ahmad Wais Afzali is not only my son but he was also my student.

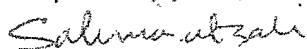
I can sincerely say that my son is a genuine, down to earth, humble young man to his family; and to this great nation, the United States of America. Please do not count my son as one of those ignorant people who want to harm this great land.

Wais was never involved and never will be involved to any groups which have negative intentions towards others. It's been an unfortunate situation that my son was brought into these circumstances. But deep inside my heart I know that he is not a person who would harm others or this great nation of ours.

He works as a Imam (religious leader) / funeral director and has helped thousands during their time of crisis and needs. Please do not give him any jail time and do not take him away from me. I feel very ill and I am not sure if I will make it through another day. I would like to have the pleasure of my son taking me to my grave.

Please consider this desperate mothers plea.

Respectfully yours,



Salima Afzali



Walid Afzali

Hon. Frederic R. Block

U.S. District Judge

225 Cadman Plaza

Brooklyn, NY 11201

Dear Honorable Frederic R. Block,

This letter is written by Walid Afzali, Ahmad Wais Afzali's youngest brother and best friend. I adore my older brother very much as he has set a good example of what it means to live a honest, conscious life. I have learned a great deal from his experiences over the years and have developed a lot of respect and compassion for him. My brother is a polite human being. He and I grew up together under difficult hardships and circumstances but he always managed to remind me to look on the bright side of things. My brother has also taught me a great deal about patience and tolerance as I have watched him assist families during their times of crisis.

We are very close in age and I see him as a twin, much like my other half. We have been there for each other through everything in life. From youth, into becoming a teenager, and finally developing into the men we are today, we have been through it all together. Not to say that he is the best of all but I can confidently say; he is a one of a kind. He is a gentleman who is and can be a great asset to the people he is around.

My brother has suffered extremely and we are all traumatized by this experience especially me. Let us regroup and reestablish ourselves as we transition into the next phase of our lives together. As I am sure you can understand that no excuse will justify the error in judgment of my brother I can tell you that he is truly sorry and will be steadfast in holding firm to speaking the truth.

Your honor, with God's mercy and yours, please do not take Wais and put him amongst those reside behind bars. Let him make the necessary arrangements to transition with his family, with me, my mom, dad, brother, and his kids. Let us feel the mercy of the justice system in your decision.

Respectfully yours,

Walid Afzali

A handwritten signature in dark ink that reads "Walid Afzali". The signature is written in a cursive, flowing style with a large initial 'W'.

[REDACTED]

Hon. Frederic R. Block
U.S District Judge
225 Cadman Plaza
Brooklyn, NY 11201

Dear, Honorable Frederic R. Block,

My name is [REDACTED] and I am 14 years old, and Ahmad Wais Afzali's youngest niece. My uncle Wais has been nothing but a good friend to me. He's the type of person who doesn't judge a book by its cover. He has nothing but respect for every individual. He has never put anyone down, he only helps as much as his will power allows.

During my sad times he has always been there and pushes me up to the top again. The day I found out the situation my uncle was in; before I could speak, I started to cry. I broke down and thought to myself, 'Uncle Wais? This isn't true.' For a couple of days I couldn't go to school. My mind and body wouldn't function. I really hope my uncle doesn't get any jail time.

Without uncle Wais I will lose everything. He has a big heart and for him to leave us would be very hard for me. Please, just think about his two little children. If I cry day and night thinking about what could happen, then imagine what his babies are going through. So please, with all due respect, let him be free.

Respectfully and truly yours,
[REDACTED]

[REDACTED]

Hon. Frederic R. Block
U.S. District Judge
225 Cadman Plaza
Brooklyn, NY 11201

Dear Honorable Judge Frederick R. Block,

I am pleased to say that Ahmad Wais Afzali is my uncle. As I am very unfortunate of his situation, I am honored to give my knowledge of a dearest uncle. I have run into many people in my life that have influenced me, but I can truly say Wais Afzali has influenced me the most. As an imam (religious leader), he has helped many fortunate and unfortunate families, charities, and even families in mourning. His passion for the United States is admirable. Although he was from Afghanistan, United States is his home. Wais Afzali will do any great deed to help this great nation in which he loves.

When my parents separated I had lost connection with a lot of family members. Uncle Wais was one of the very few people that would call me every day to make sure I was emotionally stable. Speaking to someone everyday about the hardship of my parents separating has helped me become a stronger person both emotionally and physically. His great advice has helped me help others, which is the greatest power any person can have.

It is hard to see a man with such great intentions being away from society, he is needed here. After speaking to him recently, I can hear the suffering in his voice. Please don't make this suffer greater than it already is and don't give him any jail time. His positive influences and great deeds to this country will never be forgotten and can hopefully only grow from here on out. This letter only states the very few great traits of Wais Afzali, and I hope that you will acknowledge them as well. Thank you in advance for your time.

Truly yours,
[REDACTED]

[REDACTED] son of Ahmad Wais Afzali

[REDACTED] (daughter of Ahmad Wais Afzali)

Hon. Frederic R. Block
U.S. District Judge
225 Cadman Plaza
Brooklyn, NY 11201

To Hon. Block,

My name is [REDACTED] and I am the one and only son of Ahmad Wais Afzali. With my head held way up high, I can say with great honor that Wais is MY dad. I am thirteen years old and I have a younger sister, Zulaikha Afzali who is six years old. In this sad time of ours, [REDACTED] cannot write yet. So I would like to speak to you from the both of us.

My sister and I are in a really hard situation because my parents are divorced and my father lives five hours away. Even though that seems so far, he is so close to me. He comes to see me every time I ask him to; he sometimes even comes that same day! But now I cant call on him anymore because of his restrictions. We always took turns to go see him or he comes to see us. My sister and I only want to be in our fathers arms. Day and night this is our prayer. It hurts me that I cant see him whenever I want to now. It hurts me to even think my father could go away from me. This is the time I am growing into a teenager and I need my father just as any son does. It hurts me to hear my sister call out daddy, and daddy is not here. Please, please, please, don't take my father from me and [REDACTED]

Every time we are with my dad, we are never a minute apart. We even sleep on the same bed. I want to wake up next to him every morning of my life, forever.

I want my dad to be here with me so he can teach me all the things he is in life so I can one day become the great dad he is. I want my dad to be here to protect my sister as she grows up.

Please don't take my dad from me and my sister. Don't close his arms towards us. Please let us join him forever and always with open arms. PLEASE accept my prayer from a son and a daughter who only want their dads love.

Me and my sister already have been suffering from our parents separation but to separate him from us for good will tear us apart and me and my sister will be broken into pieces.

Sincerely,
[REDACTED]

Fatimah Rahim -Afzali

[REDACTED]

March 21, 2010

Hon. Frederic R. Block
United States District Judge
225 Cadman Plaza
Brooklyn, New York

Dear Honorable Judge:

My name is Fatimah Rahim, and I am the wife to Imam Ahmad Afzali. We have been married for nearly 3 years and during our journey together my husband has shown characteristics consistent with the ideals of America. He is brave and reliable, passionate, strong, and determined to build his own version of the American dream. We looked forward to a log cabin home on a lake with a hammock and a garden. Simply serene was what we dreamed of so we could practice our faith in peace and tranquility.


My husband is an integral part of my life and I am often amazed to find myself so happy and pleased with him. In fact, I couldn't imagine life without him. He is generous to a fault, and kind to strangers. I have seen him give to those who ask without any expectation of receiving the same from another. A man who never asks others for assistance, Ahmad is humble and tolerant.

As a man who is a leader in the community, he is grounded, funny and sincere. During his lectures he admonishes himself and others against becoming lazy, selfish, and ill-mannered. These characteristics are deterrents from contributing to your country and cause weakness and instability in the community. This is just an example of his message.

The lesson has been learned. We realize the value is speaking the truth even if it means speaking against your own self. Not only has a lesson been taught to my husband, but to our families, and the greater community.

As we appear before you to hear your decision, you may feel comforted to know that justice has already been served.

Sincerely yours,


Fatimah Rahim

Heba Elshinawy

[REDACTED]

Hon. Fredric R Block
United States District Judge
225 Camdan Plaza
Brooklyn, New York

Dear Judge,

I am Heba Elshinawy, and I have personally known Imam Ahmed Afzali since 2007; I met him at a workshop where he was teaching that the community the appropriate protocols to take upon someone's death (from funeral arrangements to cemetery information and death statistics). He is quite knowledgeable in this topic as he is the Funeral Director of Islamic Burials, located in the heart of Woodhaven Blvd. I have actually also met his family (wife) that day and several times after where I would regularly volunteer with her at funeral washings. She is a respectful educated women whom always spoke very well of her husband and I did not see otherwise from my dealings with him.

Imam Afzali always took care of others and assisted them when a need arises. He is generous, very well mannered, and is indeed an asset to our community. Although he is a busy person, he would always go out of his way to ensure I got home safely so I wouldn't have to take a two hour train ride back nor pay a \$40.00 cab fee. He would always make himself available for informative lectures to both Muslims and Non-Muslims alike- assists everyone from college students to senior citizens increase in better character as commanded by God, as well as being a resource if they needed personal advice or resources to make proper arrangements for their loved ones after death.

Imam Afazli is now leaving the country to which he called home, and after many years of his life here, he will need to go to another. He, at an older age, will be alone without his family, friends, nor familiar surroundings- which is an especially hard transition for anyone to endure. I am confident in you as a just and honorable Judge, that upon reading the kind of person he is and all the good he has done for everyone around him; his judgment will not be that of any criminal but an exceptional person which has made a single mistake, which we are all prone to doing.

Thank you for your time and cooperation,

Heba Elshinawy



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

-v-

Cr. No. 09-716 (FB)

AHMAD WAIS AFZALI,

Defendant.

-----X

AFFIRMATION OF SERVICE

RONALD L. KUBY, an attorney duly admitted to practice before the courts of the State of New York, and a member of the bar of this Court, hereby affirms under the pains and penalties of perjury that on April 9, 2010, he caused to be served two true copies of Defendant's Pre-Sentence Memorandum with Appendix in the above-captioned matter upon AUSA Jeffrey H. Knox and AUSA Berit Berger, Office of the U.S. Attorney 271 Cadman Plaza East, Brooklyn, NY 11201 by hand.

Dated: New York, New York
April 9, 2010



RONALD L. KUBY